

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VALMIKI Ramanani

Write the full name of each plaintiff.

23 -CV - 4596

(Include case number if one has been assigned)

-against-

C D Baby

5925 NE 80 Ave

Portland

Oregon 97218

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

COMPLAINT

Do you want a jury trial?

☒ Yes ☐ No

See attached
Complaint
and

Discovery File

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ **Federal Question**

☐ **Diversity of Citizenship**

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

THEFT of Intellectual Property
To Profit from them of.

B. If you checked Diversity of Citizenship**1. Citizenship of the parties**

Of what State is each party a citizen?

The plaintiff, _____, is a citizen of the State of _____
 (Plaintiff's name)

 (State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____

 If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, _____, is a citizen of the State of _____
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____

If the defendant is a corporation:

The defendant, CD Baby, is incorporated under the laws of
the State of OREGON and New Jersey
and has its principal place of business in the State of 8925 NE 80 Ave Portland OR 97218
or is incorporated under the laws of (foreign state) _____
and has its principal place of business in _____

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

<u>VALMIKI</u>	<u>D</u>	<u>Ramani</u>
First Name	Middle Initial	Last Name
<u>139-05 85 DR Apt 60</u>		
Street Address		
<u>Briarwood</u>	<u>NY</u>	<u>11435</u>
County, City	State	Zip Code
<u>718-291-2978</u>	<u>valmiki.d.r@gmail.com</u>	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

CD Baby
 First Name Last Name
DISTRIBUTION of music
 Current Job Title (or other identifying information)
59 25 NE 80 Ave
 Current Work Address (or other address where defendant may be served)
Portland Oregon 97218
 County, City State Zip Code

Defendant 2:

 First Name Last Name

 Current Job Title (or other identifying information)

 Current Work Address (or other address where defendant may be served)

 County, City State Zip Code

Defendant 3:

 First Name Last Name

 Current Job Title (or other identifying information)

 Current Work Address (or other address where defendant may be served)

 County, City State Zip Code

Defendant 4:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: New York CityDate(s) of occurrence: July 2020

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

Defendant was employed to distribute musical work of Plaintiff world wide in stores and various platforms, except as plaintiff stated, not to Youtube (See attached Discovery)

Defendant violated and breached agreement and gave a song to Youtube that they wanted so that they may promote through advertisement on said song for the Platforms of TICK TOK

~~Attach~~ See ATTACHED discovery file

This constitute breach of contract
theft of intellectual property for
company's gain.

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

I am asking the court to award
me the sum of \$75,000.01
for stated claims)

U.S. COURT
SOUTHERN DISTRICT OF NEW YORKValmiki Ramani
PlaintiffCD Baby
Defendant

Complaint

- ① AFTER YouTube took over my music video channel, my brother in Canada supported me in trying to sell my music digitally on line stores and platforms. The first choice was DITTO music after taking my money and six songs, two weeks later they locked me out of my account and went on to exploit my music to their advantage. They had two of my songs on YouTube who were putting advertisement on them, I turned to President Trump help to have the songs removed and they were.
- ② Then I turned to CD Baby paid them to distribute to their available stores and platforms, but made it clear I did not want my material on YouTube, so I never ticked off YouTube on CD Baby selection stores platforms, as can be seen in the Discovery file CD Baby proved to be very dishonest (see discovery file).
- ③ Then I learned that they had defied me in

in the worst way. They gave my song titled Don't to YouTube who in turn used it to put ads for TICK Tock, see Discovery file. Eventually, I withdrew all my singles and albums, and got CD Baby to pull back my song Don't from YouTube.

I am seeking \$75,000 in compensatory and punitive from the defendant for committing Fraud, breach of contract, theft of intellectual Property and soliciting of such.

Defendant

CD Baby (new address)	Valmiki Ramon
5925 NE 80 Ave	Plaintiff
Portland	Valmiki Ramon
Oregon 97218	139-05 85 DR
	DPT 6D

Brarwood NY 11435

Email: Valmiki.d.r@gmail.com

INDEX NO:

DISCOVERY

VALMIKI RAMANI
PLAINTIFF

against

CD Baby
Defendant

don't wit ads and stream.PNG



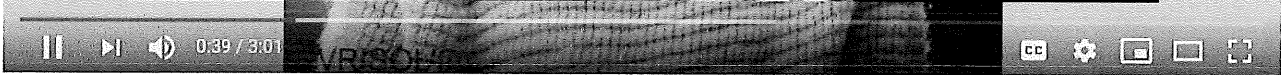
don't valmiki ramani



TikTok:
For Business

Make videos in minutes with easy templates and tools.

CREATE NOW



Don't

9 views • Jul 22, 2020

1 0 SHARE SAVE



Valmiki Ramani

SUBSCRIBE

[Quoted text hidden]

You're receiving this email because you've opted in to receive emails from us.

When I signed up there was the \$1.99, and a per month maintenance cost per song, and there was the money that would be deducted from sales. I sold 60 cents per song. When you run a business you supposed to supply an invoice showing the cost incurred and then ask for payment not go into my account as if it's your piggy bank and take money out without my consent that is ... well you want me to send a bill and you'll make it show machine sales and I had sales that were ...

Mon, May 18, 2020 at 3:21 PM

Valmiki Ramani <valmiki.d
To: DistroKid <support@dis

This email is a service of Astrokid. Delivered by Zendesk | Privacy Policy

in the meal

TikTok: For Business

Make videos in minutes with easy templates and tools.

1. **Introduction**

WITHIN 10 DAYS (EXCLUDING

0:39 / 3:01

Don't

Thanks for reaching out to Disston! This is an automated message to let you know that we have received your email, and are

##-Please type your reply above this line-##

Malmiki Damani Tonic

Distrokid <support@distrokid.com>
Reply-To: Distrokid <support@distrokid.com>
To: Valmiki Ramani <valmiki.d.r@gmail.com>

Mon, May 18, 2020 at 2:46 PM

as you can see they run ads on it
this song on youtube
NEVER authorized the release of

[Quoted text hidden]

Your maintenance fee is \$1 per song per month.

Valmiki.

Why don't you explain what these album extras represent, license cost, then you sold a lot of down loads and I am owed, explain!

And there is no income

Mon, May 18, 2020 at 2:46 PM

Valmiki Ramani <valmiki.d.r@gmail.com>
To: Distrokid <support@distrokid.com>

Fri 17 Feb 19

Something wrong with the email? View it in your browser.
You're receiving this email because you made a purchase at Distrokid, which partners with Stripe to provide invoicing and payment processing.

Download as PDF

[SUPPORT](#)
[ACCOUNT SETTINGS](#)
[LOG OUT](#)

TERMS OF SERVICE
DETAILED TRACK INFO
TRACK INFORMATION
GENRES/LOCATION/SOUNDS LIKE
DISTRIBUTION
ISRC
DD OPTIONS
TERRITORY RESTRICTIONS
LICENSING
SYNC LICENSING
UPLOAD AND CHECKOUT
SUBMIT ARTWORK
SUBMIT AUDIO
TITLE OVERVIEW

☒ Downloads + Streaming services
Includes all download partners, plus streaming services like Spotify, Apple Music, Pandora, YouTube Music, Deezer, and more

☒ Downloads Only
Includes only stores that sell downloads of your music and does not include streaming services that provide users with access to tracks they haven't purchased or previously owned. This will not include services like Spotify, Youtube, or Apple Music.

☒ Do it all. Even unpaid.
Includes places that offer free downloads and streaming.

If you do not want to sell your music to a specific company, uncheck its box.

<input checked="" type="checkbox"/> 24-7	<input checked="" type="checkbox"/> 7digital
<input checked="" type="checkbox"/> Amazon Music	<input checked="" type="checkbox"/> Anghami
<input checked="" type="checkbox"/> Apple iTunes	<input checked="" type="checkbox"/> AWA
<input checked="" type="checkbox"/> Boomplay	<input checked="" type="checkbox"/> Deezer
<input checked="" type="checkbox"/> Hungama	<input checked="" type="checkbox"/> iHeartRadio
<input checked="" type="checkbox"/> iMusica	<input checked="" type="checkbox"/> InProdicon
<input checked="" type="checkbox"/> KDigital	<input checked="" type="checkbox"/> KKBox
<input checked="" type="checkbox"/> Kuack	<input checked="" type="checkbox"/> Line Music
<input checked="" type="checkbox"/> MediaNet	<input checked="" type="checkbox"/> Napster
<input checked="" type="checkbox"/> Napster (2008-2012)	<input checked="" type="checkbox"/> NetEase Cloud Music
<input checked="" type="checkbox"/> Pandora	<input checked="" type="checkbox"/> Qobuz
<input checked="" type="checkbox"/> Resso	<input checked="" type="checkbox"/> Saavn
<input checked="" type="checkbox"/> Shazam	<input checked="" type="checkbox"/> Slacker Radio
<input checked="" type="checkbox"/> SoundExchange	<input checked="" type="checkbox"/> Spotify
<input checked="" type="checkbox"/> Tencent Music Entertainment (TME)	<input checked="" type="checkbox"/> Tidal
	<input checked="" type="checkbox"/> TikTok
	<input checked="" type="checkbox"/> United Media Agency (UMA)
<input checked="" type="checkbox"/> Yandex	<input type="checkbox"/> YouTube Music & Google Play

Always exclude
youtube and Google Play
I'll intentionally let this
one song go on youtube title
DON'T

To make a payment by mail, insert the top portion in the enclosed envelope. Be sure the mailing address shows through the envelope window.

MERRICK ACCOUNT SUMMARY

An amount with a minus sign (-) is a credit unless otherwise indicated.

Account Number 4120 6180 4884 3854
Billing Cycle Closing Date 08/11/20

Summary of Account Activity

Previous Balance		\$2,438.48
Payments	-	\$307.00
Other Credits	-	\$19.06
Purchases	+	\$381.98
Cash Advances	+	\$0.00
Fees Charged	+	\$0.00
Interest Charged	+	\$40.67

New Balance	\$2,535.07
Past Due Amount	\$0.00
Credit Limit	\$2,500.00
Available Credit	None
Days in Billing Cycle	32

Customer Service 1-800-253-2322. Our office hours are 24/7.

Payment Information

New Balance	\$2,535.07
Minimum Payment Due	\$67.00
Payment Due Date	09/05/20

Late Payment Warning:

If we do not receive your minimum payment by the date listed above, you may have to pay a late fee up to \$40.00.

Minimum Payment Warning:

If you make only the minimum payment each period, you will pay more in interest and it will take you longer to pay off your balance. For example:

If you make no additional charges using this card and each month you pay...	You will pay off the balance shown on this statement in about...	And you will end up paying an estimated total of...
Only the minimum payment	10 years	\$5,159
\$94	3 years	\$3,366 (Savings= \$1,793)

If you would like information about credit counseling services, call 1-877-316-6322.

Transactions, Payments and Credits

Trans Date	Item Description	Amount
07/10	2449215JHRTSJLJF5 THE HARRYFOX AGENCY 212-834-0100 NY	25.10
07/10	2469216JG2XEJ3XQ4 AVL*CDBABY.COM 800-289-6923 OR	14.95
07/11	2469216JH2X6VJS7E AVL*CDBABY.COM 800-289-6923 OR	14.95
07/11	2469216JH2X6VJT8R AVL*CDBABY.COM 800-289-6923 OR	14.95
07/11	7412061JJ00XTMJGS PHONE PAYMENT-THANK YOU SOUTH JORDAN UT	45.00 -
07/13	2445388JL000G66GM EASYSONGLICENSING.COM 612-5220751 MN	26.09
07/13	7412061JK00XTMJGT PHONE PAYMENT-THANK YOU SOUTH JORDAN UT	50.00 -
07/14	2445388JM000G79HV EASYSONGLICENSING.COM 612-5220751 MN	26.09
07/14	2469216JL2X548ARD AVL*CDBABY.COM 800-289-6923 OR	14.95
07/14	7412061JL00XTMJGR PHONE PAYMENT-THANK YOU SOUTH JORDAN UT	20.00 -
07/15	2469216JM2XSADS7B AVL*CDBABY.COM 800-289-6923 OR	14.95
07/16	F554900JV000Q0044 ADJUSTMENT-PAYMENTS	20.00
07/16	7412061JN00XTMJGN PHONE PAYMENT-THANK YOU SOUTH JORDAN UT	20.00 -
07/17	2445388JR000GJB90 EASYSONGLICENSING.COM 612-5220751 MN	26.09
07/17	2469216JP2XBN3Y4Q AVL*CDBABY.COM 800-289-6923 OR	14.95
07/19	7412061JT00XTMJGV PHONE PAYMENT-THANK YOU SOUTH JORDAN UT	72.00 -
07/21	2445388JW000GWHFN EASYSONGLICENSING.COM 612-5220751 MN	23.54
07/22	2469216JW2XKD3YRD AVL*CDBABY.COM 800-289-6923 OR	14.95
07/23	2469216JX2X9ZXB69 AVL*CDBABY.COM 800-289-6923 OR	14.95
07/23	7412061JX00XTMJGP PHONE PAYMENT-THANK YOU SOUTH JORDAN UT	10.00 -
07/24	7412061JY00XTMJGN PHONE PAYMENT-THANK YOU SOUTH JORDAN UT	50.00 -
07/25	2445388K0000HAVP0 EASYSONGLICENSING.COM 612-5220751 MN	23.54
07/26	2469216K02XQTEA7Q AVL*CDBABY.COM 800-289-6923 OR	14.95
07/27	7412061K100XTMJGX PHONE PAYMENT-THANK YOU SOUTH JORDAN UT	30.00 -
07/28	2445388K3000HHPBV EASYSONGLICENSING.COM 612-5220751 MN	23.54
07/28	7412061K200XTMJGS PHONE PAYMENT-THANK YOU SOUTH JORDAN UT	10.00 -
07/29	2469216K32XQSAKMO AVL*CDBABY.COM 800-289-6923 OR	14.95
07/29	2469216K32XQSANFG AVL*CDBABY.COM 800-289-6923 OR	14.95
07/30	F554900K4000CE740 COURTESY CREDIT	18.99 -
07/30	F554900K4000MF740 PURCHASE INTEREST CREDIT	0.02 -
07/31	2445388K6000HSY5W EASYSONGLICENSING.COM 612-5220751 MN	23.54
08/07	F554900KC000MF740 PURCHASE INTEREST CREDIT	0.05 -

Fees

TOTAL FEES FOR THIS PERIOD 0.00

Interest Charged

Interest Charge on Purchases	40.67
Interest Charge on Cash Advances	0.00
TOTAL INTEREST FOR THIS PERIOD	40.67

5-31 - 8 - 7 (63)

08/11
08/11



Valmiki Ramani <valmiki.d.r@gmail.com>

CD Baby Purchase Confirmation

1 message

CD Baby <no-reply@cdbaby.com>

Mon, May 3, 2021 at 1:27 AM

To: valmiki.d.r@gmail.com

CD Baby Purchase Confirmation

Hello valmiki,

We've received your order! Here is your order confirmation number for safe keeping:

SO07312181**For your Standard Submission: Songs of 50th State**

We're excited to help you spread your music far and wide, but before we can, make sure you have completed all the various sections of the submission process - from uploading cover art to selecting distribution territories. Not sure if you've completed all the required fields? You can check the status from your CD Baby Members Account by clicking "View/Edit" next to your title.

IMPORTANT: After you click "Submit for distribution," our inspectors will take a look. Once you submit for distribution, that may be the last time you'll be able to make edits so make sure it's your final product. If the inspectors find any issues preventing your music from being distributed, they will email you with further instructions. If your submission is approved by our inspectors, we will immediately begin delivering your music to our digital partners and you will receive a confirmation email. That's it! We're ready to bring your music to the world.

IMPORTANT: If you've ordered Standard, or Pro distribution

We cannot begin distributing or selling your music until you've told us you're ready. To do so, please complete all the information on the Title Overview page in your account, then click "Submit for distribution."

Thank you so much for your support and feel free to Visit our Help Center if you have any questions.

ITEM

DESCRIPTION

CREDIT APPLIED

PRICE

Songs of 50th State



SUPPORT



ACCOUNT SETTINGS

LOG OUT



Songs of 50th State



Artist Name

Valmiki Ramani

Record Label

Vrisol, Tm

UPC

617308722628

Primary Genre

Easy Listening

Primary Subgenre

Love Songs

Mood/Style

Mood: Dreamy

Artist Sounds Like

Add Info

Release Date

5/13/2020

Secondary Genre

Easy Listening

Secondary Subgenre

Love Songs

Album Language

English

Artist Location

United States - NY - New York City



Submission Complete

✓ SERVICE AGREEMENTS >

✓ RELEASE REQUIREMENTS

✓ PAID

... INSPECTION ?

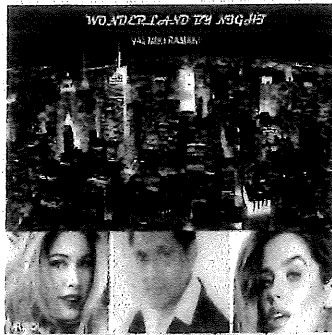
... PARTNER DELIVERY >

😊 Let's review your

mDetails/BasicAlbumInfo.aspx

AUDIO >

Wonderland by Night



Artist Name

Valmiki Ramani

Record Label

Vrisol, Tim

UPC

617308722635

Primary Genre

Easy Listening

Primary Subgenre

Easy Pop

Mood/Style

Mood: Dreamy

Artist Sounds Like

Add Info

Release Date

5/8/2020

Secondary Genre

Easy Listening

Secondary Subgenre

Easy Pop

Album Language

English

Artist Location

United States - New York



Submission Complete

☒ SERVICE AGREEMENTS >

☒ RELEASE REQUIREMENTS

☒ PAID

☒ INSPECTION ③

Love Me with All of Your Heart



Artist Name

✓ Valmiki Ramani

Record Label

✓ Vrisol, Tim

UPC

✓ 617308722642

Primary Genre

✓ Easy Listening

Primary Subgenre

✓ Easy Pop

Mood/Style

✓ Mood: Dreamy

Artist Sounds Like

➕ Add Info

Release Date

✓ 5/13/2020

Secondary Genre

✓ Easy Listening

Secondary Subgenre

✓ Love Songs

Album Language

✓ English

Artist Location

✓ United States - New York



Submission Complete

✓ SERVICE AGREEMENTS >

✓ RELEASE REQUIREMENTS

✓ PAID

⋮ INSPECTION ?

😊 Let's re



Valmiki Ramani <valmiki.d.r@gmail.com>

CD Baby Purchase Confirmation

1 message

CD Baby <no-reply@cdbaby.com>
 To: valmiki.d.r@gmail.com

Thu, May 6, 2021 at 1:31 AM

CD Baby Purchase Confirmation

Hello valmiki,

We've received your order! Here is your order confirmation number for safe keeping:

SO07317473**For your Standard Submission: Love Me with All of Your Heart**

We're excited to help you spread your music far and wide, but before we can, make sure you have completed all the various sections of the submission process - from uploading cover art to selecting distribution territories. Not sure if you've completed all the required fields? You can check the status from your CD Baby Members Account by clicking "View/Edit" next to your title.

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We cannot begin distributing or selling your music until you've told us you're ready. To do so, please complete all the information on the Title Overview page in your account, then click "Submit for distribution."

Thank you so much for your support and feel free to Visit our Help Center if you have any questions.

ITEM	DESCRIPTION	CREDIT APPLIED	PRICE
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Love Me with All of Your Heart			
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V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

6-1-23
 Dated
 VALMIKI D
 Plaintiff's Signature
 Ramani
 First Name Middle Initial Last Name
 139-05 85 DR Apt 6D
 Street Address
 BRLEAWOOD NY 11435
 County, City State Zip Code
 716-291-2978
 Telephone Number
 VALMIKI.d.r@gmail.com
 Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.